



Dated: August 17, 2023
The following is ORDERED:

A handwritten signature in black ink, appearing to read "M. Ruthie Hagan".

M. Ruthie Hagan
UNITED STATES BANKRUPTCY JUDGE
UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

In re: **HOLIDAY HAM HOLDINGS, LLC,**
Debtor.

Case No. 23-23313-MRH
Chapter 11

ORDER

THIS CAUSE having come on for consideration of the *Motion to Require Escrowed Subchapter V Trustee Payments* (the “Motion”) [DK #59] filed herein by Craig M. Geno, Subchapter V Trustee (the “Trustee”), and the Court having considered the Motion, and being fully advised in the premises, does hereby find as follows, to-wit:

1. Notice and a hearing were adequate and appropriate under the circumstances.
2. The Trustee has been appointed as the Subchapter V Trustee in this Chapter 11 case.
3. There is no statutory requirement for the Debtor-in-Possession in a Subchapter V case to pay, or even escrow, fees and expenses of the Trustee (or any Trustee for that matter) while the case is pending and before confirmation of a Plan.
4. In many instances, Subchapter V cases end up being dismissed, or converted to a case under Chapter 7, with no funds being paid to the Subchapter V Trustee.
5. In addition, a number of Subchapter V cases are filed that simply are not going to be able to submit a feasible Chapter 11 Plan, and the earlier the parties in the case know that, the better off everyone will be.

6. Bearing all of these considerations in mind, the Court orders the Debtor to begin, on August 1, 2023, depositing the sum of \$1,000.00 per month with the Trustee, to be held in escrow, pending an application for compensation and notice and a hearing in connection with such application. The escrowed funds will be used to defray the Trustee's compensation, if any.

7. In the event the Debtor cannot afford to escrow \$1,000.00 per month, or in the event the Debtor (or its equity security holders) are unwilling or unable to come up with \$1,000.00 per month to fund an escrow, then the parties should know that sooner rather than later and take such action as necessary.

8. Other courts around the country have granted similar motions in Subchapter V cases (although at least one court has declined to do so) and some courts either have pending local rules or standing orders requiring such retainers to be paid, subject to the fee application, notice and a hearing process.

9. Accordingly, the Court hereby grants the Motion.

END OF ORDER

SUBMITTED BY:

Craig M. Geno, Esq. - MSB No. 4793
LAW OFFICES OF CRAIG M. GENO, PLLC
587 Highland Colony Parkway
Ridgeland, MS 39157
(601) 427-0048 - Telephone
(601) 427-0050 - Facsimile
cmgeno@cmgenolaw.com

N:\Firm Data\Users\Bankrupt\Subchapter V Cases\Holiday Ham Holdings, LLC\Pleadings\Order - Mot to Require Escrowed SubV Trustee Payments 8-3-23.wpd

In re:
Holiday Ham Holdings, LLC
Debtor

Case No. 23-23313-mrh
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0651-2
Date Rcvd: Aug 18, 2023

User: ao1492bnc
Form ID: pdford02

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Total Noticed: 80

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 20, 2023:

Recip ID	Recipient Name and Address
db	+ Holiday Ham Holdings, LLC, 9245 Poplar Ave., Ste. 5-146, Germantown, TN 38138-7931
cr	+ FirstBank, c/o Scott McGuire, Special Assets Manager, 722 Columbia Avenue, Frranklin, TN 37064-2828
cr	+ Houston Levee Market, LLC, c/o Evans Petree PC, 1715 Aaron Brenner Drive, Suite 800, Memphis, TN 38120-1445
cr	+ Kroger Limited Partnership I, Gullett Sanford Robinson & Martin PLLC, c/o Thomas H. Forrester, 150 Third Avenue Suite 1700, Nashville, TN 37201-2041
33986967	20-APRIO LLP, P.O. BOX 117310, Account Rec. Dept., Atlanta, GA 30368-7310
33986970	+ 20-B & L Food Sales, LP, 2014 Brookhaven, Abilene, TX 79605-5502
33986979	+ 20-Crown Centre, LLC, c/o Lurie & Assoc., 2650 Thousand Oaks Blvd., Ste. 2350, Memphis, TN 38118-2470
33986987	+ 20-First Bank, 1661 International Dr. Ste. 350, Memphis, TN 38120-1433
33986992	+ 20-Gordon Food Service, P.O. Box 41534, Memphis, TN 38174-1534
33986994	20-Hendon Germantown Village LLC, P.O. Box 749529, Atlanta, GA 30374-9529
33987004	+ 20-Houston Levee Market LLC, 1669 Kirby Parkway, Ste. 200, Memphis, TN 38120-4338
33987010	+ 20-Kroger Limited Partnership I, c/o Matthew B. Haskell, 150 N. Third Ave. South Ste. 1700, Nashville, TN 37201-2041
33987019	+ 20-PEBB Enterprises, 7900 Glades Rd., #600, Boca Raton, FL 33434-4105
33987021	20-Pinnacle Bank, P.O. Box 292487, Nashville, TN 37229-2487
33987023	+ 20-Regions Bank, Regions Center, 1900 5th Ave. N, Birmingham, AL 35203-2670
33987025	20-SBA EIDL Loan, 2 North Street, Suite 320, Birmingham, AL 35203
33987026	+ 20-Simmons Bank, P.O. Box 8012, c/o Centtsl Loan Admin., Little Rock, AR 72203-8012
33987027	+ 20-State of Tennessee Dept. of Revenue, 500 Deaderick St., 8th Floor, Nashville, TN 37242-0001
33987034	+ 20-Toast, 401 Park Drive, Ste. 801, Boston, MA 02215-3372
33987036	20-Vend Lease, P.O. Box 5066, Hartford, CT 06102-5066
33986963	+ AAA Safe & Lock Co., Inc., 722 South Highland St., Memphis, TN 38111-4393
33986964	+ Alarm Alert Center, Inc., P.O. Box 341754, Memphis, TN 38184-1754
33986969	+ Audacy Operations Inc, P.O. Box 74093, Cleveland, OH 44194-0159
33986971	+ Bluff City Refrigeration, Inc., P.O. Box 11332, Memphis, TN 38111-0332
33986972	+ Brian Yoakum, Evans Petree, 1715 Aaron Brenner Dr. Ste.800, Memphis, TN 38120-1445
33986973	+ Burch, Porter & Johnson PLLC, 130 North Court Ave., Memphis, TN 38103-2288
33986975	CINTAS, P.O. Box 630921, Cincinnati, OH 45263-0921
33986974	+ Certified Alarm Co. of Alabama, Inc., P.O. Box 237, Sheffield, AL 35660-0237
33986976	+ Clinic Pass, 1590 E. Joyce Blvd., #8518, yetteville, AR 72703-7821
33986977	+ Coleman Group Inc., 1587 Darby Drive, Florence, AL 35630-2746
33986978	+ Cozzini Bros., Inc., 350 Howard Ave., Des Plaines, IL 60018-1908
33986980	+ Delaney Services Inc., 2406 Samuels, Memphis, TN 38114-5942
33986981	+ Doordash, Inc., 303 2nd Ave., San Francisco, CA 94118
33986982	+ ECOLAB Food Specialities, 24196 Network Place, Chicago, IL 60673-1241
33986983	ECOLAB Institutional, P.O. Boz 32027, New York, NY 10087-2027
33986984	Erinway Partners LP, P.O. Box 171247, Memphis, TN 38187-1247
33986985	+ Eurofins Central Analytical Laboratories, 1555 3rd Place, Memphis, TN 38106
33986986	+ Fire Pro, 25187 Huntsville Brownsferry Rd., Madison, AL 35756-3601
33996308	+ First Citizens Bank & Trust Company, c/o Bankruptcy Processing Solutions, Inc, PO Box 593007, San Antonio, TX 78259-0200
33986989	+ Floied Fire Extinguisher & Steam Clean., 3060 Lamar Ave., Memphis, TN 38114-6405

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User: ao1492bnc

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33986990 Fourth Enterprises, LLC, P.O. Box 8030, Carol Stream, IL 60197-8030
33986991 + Germantown Area Chamber of Commerce, 2195 S. Germantown Rd., Germantown, TN 38138-3819
33986993 + Hastings AAA Pumping Service, 2778 Shelby St., Memphis, TN 38134-4510
33986995 + Herald Quickprint & Technology, P.O. Box 1035, Florence, AL 35631-1035
33986996 + Herring Equipment Service, Inc., 1651 Dancy Blvd., Ste. 1, Horn Lake, MS 38637-1911
33986998 #+ Holiday Commissary LLC, 3895 East Raines Rd., Memphis, TN 38118-6937
33987006 + J.C. Hamm & Sons, Inc., 2536 Florence Blvd., Florence, AL 35630-2866
33987008 + KOK-KIN Properties, 24479 N. 120th Place, Scottsdale, AZ 85255-5960
33987009 KONICA MINOLTA, 21146 Network Place, Chicago, IL 60673-1211
33987007 + Kevin Cerrito, 2044 Felix Ave., Memphis, TN 38104-5637
33991417 + Kroger Limited Partnership I., c/o Thomas H. Forrester, 150 Third Avenue South, Suite 1700, Nashville, TN 37201-2041
33987011 Loeb Bros. Realty LLP, P.O. Box 171247, Memphis, TN 38187-1247
33987012 + Lucius D. Jordan, III, 9074 Baynard Loop North, Germantown, TN 38139-4503
33987014 + MDSOUTH FILTERS, P.O. Box 27584, Memphis, TN 38167-0584
33987017 MPE Services LLC, 7787 AL 75, Pinson, AL 35126
33987013 + Maintenance Plus, 201 Eugenia Street, Florence, AL 35630-2341
33987015 Metro Alarm Office, P.O. Box 178, Memphis, TN 38101-0178
33987016 + Mid South Septic Services, 11284 Gulf Stream Rd., Arlington, TN 38002-9807
33987018 NUCO2-Midtown, P.O. Box 417902, Boston, MA 02241-7902
33987022 + Presbyterian Day School, 4025 Poplar Ave. 38111, Memphis, TN 38111-6022
33987024 + Roto Rooter, P.O. Box 2142, Florence, AL 35630-0014
33987029 Terminix, P.O.. Box 802155, Chicago, IL 60680-2155
33987030 Terminix-Erin, P.O.. Box 802155, Chicago, IL 60680-2155
33987031 Terminix-Germantown, P.O.. Box 802155, Chicago, IL 60680-2155
33987032 Terminix-Midtown, P.O.. Box 802155, Chicago, IL 60680-2155
33987033 + Timothy Heinz, 272 Cedar Brook Dr., Collierville, TN 38017-3522
33987037 + Waste Connections, 5901 Shelby Oaks Dr. Suite 180, Memphis, TN 38134-7306

TOTAL: 67

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: bankruptcy@pnfp.com	Aug 18 2023 21:27:00	Pinnacle Bank, 150 3rd Ave South, Ste 900, Nashville, TN 37201-2034
cr	Email/Text: consumerbankruptcy@simmonsbank.com	Aug 18 2023 21:26:00	Simmons Bank, 800 N. Arkansas Avenue I, Russellville, AR 72801
33986966	+ Email/Text: tbutler@appersoncrump.com	Aug 18 2023 21:27:00	Apperson Crump, 6000 Poplar Ave., Ste. 150, Memphis, TN 38119-3971
33987318	^ MEBN	Aug 18 2023 21:24:02	City Attorney's Office, 125 North Mid-America Mall, Room 314, Memphis, TN 38103-2079
33994222	^ MEBN	Aug 18 2023 21:24:03	City of Memphis, PO Box 185, Memphis, TN 38101-0185
33987314	+ Email/Text: sbse.cio.bnc.mail@irs.gov	Aug 18 2023 21:26:00	Internal Revenue Service, P.O. Box 7346, Philadelphia, PA 19101-7346
33991509	+ Email/Text: bankruptcy@pnfp.com	Aug 18 2023 21:27:00	Pinnacle Bank, 150 S. 3rd Ave. S., Ste. 900, Nashville, TN 37201-2034
33994206	+ Email/Text: npindell@shelbycountytrustee.com	Aug 18 2023 21:26:00	Shelby County Trustee, PO Box 2751, Memphis, TN 38101-2751
33987028	+ Email/Text: evelyn@statesystemsinc.com	Aug 18 2023 21:27:00	State Systems, Inc., P.O. Box 372, Dept. 90, Weights & Measures Division, Memphis, TN 38101-0372
33987313	+ Email/Text: AGBankRevenue@ag.tn.gov	Aug 18 2023 21:26:00	State of TN Dept of Revenue, TN Atty General's Office, Bankruptcy Division, P.O. Box 20207, Nashville, TN 37202-4015
33987315	Email/Text: TAX-CTS-Eastern.BankruptcyMail@usdoj.gov	Aug 18 2023 21:26:00	U.S. Dept. of Justice/Tax Division, Civil Trial Section, Eastern Region, P.O. Box 227, Ben Franklin Station, Washington, DC 20044

District/off: 0651-2

User: ao1492bnc

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Date Rcvd: Aug 18, 2023

Form ID: pdford02

Total Noticed: 80

33987316 + Email/Text: usatnw.bkfilenotices@usdoj.gov

Aug 18 2023 21:25:00

U.S. Attorney, 167 N. Main, Suite 800, Memphis, TN 38103-1827

33987035 + Email/Text: accounts.receivable@uline.com

Aug 18 2023 21:27:00

Uline, 12575 Uline Drive, Pleasant Prairie WI 53158-3686

TOTAL: 13

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
intp		LPI Memphis, Inc.
33986965		20-Anne Jordan
33986997		Holiday Collierville LLC
33986999		Holiday Crown Center LLC
33987000		Holiday Erin LLC
33987001		Holiday Germantown LLC
33987002		Holiday Houston Levee LLC
33987003		Holiday Midtown LLC
33987005		IT Connections LLC
33987020		Pimentos Florence LLC
cr	*+	City of Memphis, PO Box 185, Memphis, TN 38101-0185
cr	*+	Shelby County Trustee, PO BOX 2751, Memphis, TN 38101-2751
33986988	*+	20-First Bank, 1661 International Dr. Ste.. 350, Memphis, TN 38120-1433
33986968	##	Aramark, aka Ameripride Services Inc., P.O. Box 1280, Acct. Rec. Dept., Bemidji, MN 56619-1280

TOTAL: 10 Undeliverable, 3 Duplicate, 1 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 20, 2023

Signature: /s/Gustava Winters**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 18, 2023 at the address(es) listed below:

Name	Email Address
Adam C. Crider	on behalf of Creditor FirstBank acrider@raineykizer.com
Bertis Echols	on behalf of Creditor Houston Levee Market LLC bechols@evanspetree.com, rfehse@evanspetree.com
Craig M. Geno	on behalf of Trustee Craig M. Geno cmgeno@cmgenolaw.com spurvis@cmgenolaw.com, kcarter@cmgenolaw.com; cmgeno@ecf.courtdrive.com, cleal@cmgenolaw.com
Craig M. Geno	cmgeno@cmgenolaw.com spurvis@cmgenolaw.com, kcarter@cmgenolaw.com; cmgeno@ecf.courtdrive.com, cleal@cmgenolaw.com
Elijah Noel, Jr.	

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on behalf of Creditor City of Memphis en@harrisskelton.com
lcushing@harrisskelton.com,en@harrisskelton.com,ehord@shelbycountytrustee.com,bblocker@shelbycountytrustee.com,krosko
@shelbycountytrustee.com,npindell@shelbycountytrustee.com

Elijah Noel, Jr.

on behalf of Creditor Shelby County Trustee en@harrisskelton.com
lcushing@harrisskelton.com,en@harrisskelton.com,ehord@shelbycountytrustee.com,bblocker@shelbycountytrustee.com,krosko
@shelbycountytrustee.com,npindell@shelbycountytrustee.com

Jamaal M. Walker

on behalf of U.S. Trustee U.S. Trustee jamaal.walker@usdoj.gov

Locke Houston Waldrop

on behalf of Interested Party LPI Memphis Inc. lwaldrop@bakerdonelson.com

Matthew R. Murphy

on behalf of Creditor Pinnacle Bank mmurphy@smythehuff.com

R. Lee Webber

on behalf of Creditor Simmons Bank lwebber@martintate.com mowens@martintate.com

Regions Bank

wwinchester@wsfs-law.com

Thomas Forrester

on behalf of Creditor Kroger Limited Partnership I tforrester@gsrm.com djames@gsrm.com;asowney@gsrm.com

Toni Campbell Parker

on behalf of Debtor Holiday Ham Holdings LLC tparker002@att.net, tparker001@bellsouth.net

U.S. Trustee

ustpreion08.me.ecf@usdoj.gov

Walter Winchester

on behalf of Creditor Regions Bank wwinchester@wsfs-law.com

TOTAL: 15